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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN EARL CAMPBELL,

Plaintiff,

v.

NATIONAL RAILROAD PASSENGER
CORPORATION dba AMTRAK, JOE DEELY
and DOES 1 through 15 inclusive,

Defendants.

Case No. C05-05434 MJJ

**STIPULATION TO CONTINUE PRE-
TRIAL ORDER DATES; ORDER**

Trial Date: 1/9/2008

COME NOW Plaintiff John Earl Campbell and Defendants National Railroad Passenger Corporation (aka "Amtrak") and Joe Deely (collectively referred to herein as "the Parties") hereby stipulate to the following continuances in light of the following circumstances, as follows:

1. Trial is presently scheduled in this case for January 9, 2008 at 8:30 a.m. in Department 11. A pretrial conference is scheduled for January 7, 2008 at 9:30 a.m. in

1 Department 11.

2 2. Under the Court's Pretrial Order dated July 12, 2007 ("Pretrial Order"), the
3 following items must be filed or exchanged no later than 20 calendar days prior to the pretrial
4 conference (or on December 17th): (1) pretrial conference statement which includes each party's
5 list of trial witnesses; (2) joint set of agreed-upon jury instructions; (3) set of proposed separate
6 jury instructions; and (4) trial exhibits.

7 3. Under the Court's Pretrial Order, the following items must be filed or exchanged
8 no later than 10 court days prior to the pretrial conference (or on December 20th): (1) set of
9 separate jury instructions objections and stipulations to same; (2) motions in limine; (3)
10 complete set of trial exhibits with stipulations on admissibility, etc.; (4) objections to other
11 evidence; (5) voir dire; and (6) verdict forms.

12 4. Under the Court's Pretrial Order, the following items must be filed or exchanged
13 no later than 10 calendar days prior to the pretrial conference (or on December 28th): Objections
14 to Separately Proposed Jury Instructions

15 5. Under the Court's Pretrial Order, the following items must be filed or exchanged
16 no later than 5 court days prior to the pretrial conference (or on December 28th): Oppositions to
17 Motions in Limine.

18 6. Under the Court's Pretrial Order, the following items must be filed or exchanged
19 no later than one week prior to Trial (or on December 31st): (1) Copies of Exhibits; and (2)
20 Preliminary Statement and Instructions

21 7. The Parties submit and agree that due to their availability and schedules, as well
22 as personal health issues, counsel for Plaintiff and Defendants have been unable to meaningfully
23 meet and confer on and to exchange the pretrial items due by no later than Monday, December
24 17th; therefore, a continuance of all pretrial dates is appropriate and supported by good cause.

25 8. Therefore, the Parties request that the Court amend the Pretrial Order as follows:

- 26 a. With the exception of the pretrial conference scheduled for January 7,
27 2008 and the trial date on January 9, 2008, all pretrial dates in the Court's
28 Pretrial Order shall be continued seven (7) calendar days, so that:

- i. All pretrial filings and exchanges due on or before December 17th shall now be due on or before Monday, December 24th;
- ii. All pretrial filings and exchanges currently due on or before December 20th shall now be due on or before Thursday, December 27th;
- iii. All pretrial filings and exchanges currently due on or before December 28th shall now be due on Friday, January 4, 2008; and
- iv. All pretrial filings and exchanges currently due on or before December 31st shall now be due on Monday, January 7, 2008.

9. Further, the Parties stipulate and agree that extension of the pretrial dates above will not be offered as justification for any further continuances or extensions of the pretrial conference or date of trial in this case.

IT IS SO STIPULATED.

Dated: December 17, 2007

PRICE AND ASSOCIATES

By: /s/ Pamela Y. Price
[Counsel stipulated/authorized conformed
signature by telephone]
PAMELA Y. PRICE
Attorneys for Plaintiff
JOHN EARL CAMPBELL

Date: December 17, 2007

JACKSON LEWIS LLP

By: /s/ Cara Ching-Senaha
PATRICK C. MULLIN
CARA CHING-SENAHA
Attorneys for Defendants
NATIONAL RAILROAD PASSENGER
CORPORATION dba AMTRAK and JOE
DEELY

ORDER

Pursuant to the Parties' stipulation, and finding GOOD CAUSE therefore:

With the exception of the pretrial conference scheduled for January 7, 2008 and the trial date on January 9, 2008, all pretrial dates in the Court's Pretrial Order shall be continued seven (7) calendar days, so that:

A. All pretrial filings and exchanges due on or before December 17th shall now be due on or before 12/24/2007;

B. All pretrial filings and exchanges currently due on or before December 20th shall now be due on or before 12/27/2007;

C. All pretrial filings and exchanges currently due on or before December 28th shall now be due on or before 1/4/2008; and

D. All pretrial filings and exchanges currently due on or before December 31st shall now be due on or before 1/7/2008.

IT IS SO ORDERED.

DATED: December _____, 2007

HONORABLE MARTIN J. JENKINS
United States District Judge

National Railroad Passenger Corp.\Campbell\Pleadings\20071217 Stipulation to Continue Pretrial Order Dates; Order.doc